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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-05-0140 WHA
)	
12 Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TERMINATING SUPERVISED
13 v.)	RELEASE
)	
14 JANE FAALANTAINA,)	
)	
15 Defendant.)	
_____)	
16		

17 On September 27, 2005, defendant Jane Faalantaina was sentenced to 5 years in custody
18 and four years of supervised release for violating 21 U.S.C. Section 841(a)(1), Possession with
19 Intent to Distribute Cocaine, and 21 U.S.C. Section 846, Conspiracy to Distribute Cocaine. Ms.
20 Faalantaina completed her term in custody and commenced her term of supervised release on
21 September 18, 2009. Having successfully completed more than two years of supervised release,
22 Ms. Faalantaina now seeks early termination of her supervised release. The government has no
23 opposition to this request.

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1 Under 18 U.S.C. Section 3583(e), the Court has authority to grant early termination of a
 2 previously imposed term of supervised release. Section 3583(e)(1) provides:

3 (e) Modification of conditions or revocation.— The court may, after considering the
 4 factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6),
 and (a)(7) –

5 (1) terminate a term of supervised release and discharge the defendant released at
 6 any time after the expiration of one year of supervised release, pursuant to the
 7 provisions of the Federal Rules of Criminal Procedure relating to the modification
 of probation, if it is satisfied that such action is warranted by the conduct of the
 8 defendant released and the interest of justice.

9 18 U.S.C. § 3583(e)(1). Pursuant to Federal Rule of Criminal Procedure 32.1(c)(2)(C), the Court
 10 may grant early termination without a hearing in a case such as this where the defendant waives
 11 a hearing, the relief sought is favorable to the defendant and the government does not object after
 12 notice.

13 According to U.S. Probation Officer Christopher Taylor, Ms. Faalantaina has done a
 14 remarkable job during the last two years of her supervised release. She is gainfully employed as
 15 an Employment Counselor at Community Vocational Enterprises, where she assists individuals
 16 on social security and disability in securing employment. She has been so employed for
 17 approximately 18 months. She has secured housing, has regained custody of her two young
 18 children and is an active and involved parent to her children, she has removed herself from the
 19 negative relationships she had in the past, and overall is living a productive, positive and law-
 20 abiding life. She has paid her special assessment, and successfully completed all of the terms
 21 and conditions of her supervision.

22 Ms. Faalantaina has performed exceptionally well on supervised release. Thus, having
 23 successfully completed more than two years of supervised release, Ms. Faalantaina requests
 24 early termination of her supervised release. Ms. Faalantaina waives her right to a hearing on this
 25 matter and requests that the Court grant the parties' stipulation without hearing.

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1 Based on Ms. Faalantaina's successful performance on supervised release, the parties
2 hereby jointly stipulate and request that this Court terminate her supervised release forthwith
3 pursuant to 18 U.S.C. Section 3583(e). Should the Court have any questions about Ms.
4 Faalantaina's performance on supervised release, the parties have no objection to the Court
5 contacting USPO Christopher Taylor directly.

6 IT IS SO STIPULATED.

7
8 January 3, 2012
DATED

/s/
KAREN BEAUSEY
Assistant United States Attorney

10 January 3, 2012
DATED

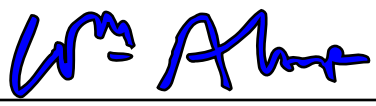
/s/
JODI LINKER
Assistant Federal Public Defender

12
13 ~~PROPOSED~~ ORDER

14 For good cause shown, and based on the stipulation of the parties, the Court ORDERS
15 that defendant Jane Faalantaina's term of supervised release is hereby terminated pursuant to 18
16 U.S.C. Section 3583(e).

17 IT IS SO ORDERED.

18
19 Dated: January 4, 2012.


William Alsup
UNITED STATES DISTRICT JUDGE